MR. CHAIRMAN: Anyhow, have a half-an-hour discussion on this. We can discuss all these things at that time.

*104. [*The Questioner* (Shri Suresh Kalmadi) *was absent. For answer,* vide col. 37 *infra.]*

*105. [*The Questioner* (Shrimati Saroj Dubey) *was absent. For answer,* vide col. 38 *infra.]*

Atrocities on SCs/STs

106. PROF. VIJAY KUMAR MALHOTRA: †
SHRI O. RAJAGOPAL:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the number of atrocities on SCs and STs reported during the last three years, State-wise and year-wise;

(b) the number of persons challaned, State-wise and year-wise; and

(c) the steps taken by Government to curb atrocities on SCs and STs?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) to (c) A statment is laid on the Table of the House.

Statement

(a) Atrocities committed against SCs & STs

Name of State/UT	Scheduled Castes			Scheduled Tribes		
	1995	1996	1997	1995	1996	1997
1. Andhra Pradesh	1764	1629	1880	165	252	236
2. Arunachal Pradesh	0	0	0	2	5	0
3. Assam	0	0	0	0	0	0
4. Bihar	747	810	710	232	190	158
5. Goa	4	1	2	0	0	0
6. Gujarat	1724	1764	1831	486	369	384
7. Haryana	82	63	92	0	1	5
8. Himachal Pradesh	82	66	61	5	3	1
9. Jammu & Kashmir	25	17	8	8	6	11
10. Karnataka	1171	1089	1227	96	180	78
11. Kerala	696	640	755	185	122	139
12. Madhya Pradesh	3979	4075	4269	1690	1466	1400
13. Maharashtra	1622	1352	831	505	337	189
14. Manipur	1	0	0	2	0	0
15. Meghalaya	2	0	0	2	1	13
16. Mizoram	0	0	0	0	0	0
17. Nagaland	0	0	0	0	0	0
18. Orissa	329	486	602	143	179	220
19. Punjab	8	12	11	4	1	0
20. Rajasthan	5197	6623	5624	1784	1393	1445
21. Sikkim	33	14	18	40	46	31
22. Tamil Nadu	1293	1812	1403	40	85	227
23. Tripura	0	0	0	0	0	0
24. Uttar Pradesh	14205	10963	8500	105	336	86
25. West Bengal	0	0	0	0	0	0
26. Andman & Nicobar Islands	0	0	0	0	0	2

Name of State/UT	Scheduled Castes			Scheduled Tribes		
	1995	1996	1997	1995	1996	1997
27. Chandigarh	0	0	1	0	0	0
28. Dadra & Nagar Haveli	0	0	0	3	1	1
29. Damand & Diu	2	0	0	1	0	0
30. Delhi	6	11	19	0	0	0
31. Lakshdweep	0	0	0	0	0	0
32. Pondicherry	24	13	23	0	0	0
TOTAL	32996	31440	27868	5498	4973	4626

SOURCE: National Crimes Records Bureau, Ministry of Home Affairs

(b) Number of cases Challaned under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Name of State/UT	1995 No. of Cases Challaned	1996 No. of Cases Challaned	1997 No. of Cases Challaned
1. Andhra Pradesh	194	196	NR
2. Arunachal Pradesh	0	0	0
3. Assam	0	1	2
4. Bihar	193	NR	NR
5. Goa	1	1	0
6. Gujarat	2057	1980	1955
7. Haryana	10	13	22
8. Himachal Pradesh	10	12	9
9. Jammu & Kashmir	NA	NA	NA
10. Karnataka	1111	1009	1081
11. Kerala	383	299	NR
12. Madhya Pradesh	3609	4740	4037
13. Maharashtra	1675	1825	NR
14. Manipur	0	1	1
15. Meghalaya	0	0	0
16. Mizoram	0	0	0
17. Nagaland	0	0	NR
18. Orissa	197	800	NR
19. Punjab	0	1	3
20. Rajasthan	2188	413	NR
21. Sikkim	0	0	0
22. Tamil Nadu	374	275	NR
23. Tripura	0	0	0
24. Uttar Pradesh	6702	4355	2945
25. West Bengal	5	NR	NR
26. Andman & Nicobar Islands	0	0	0
27. Chandigarh	0	1	0
28. Dadra & Nagar Haveli	0	0	4

29. Damand & Diu	0	5	1
30. Delhi	1	0	NR
31. Lakshdweep	0	0	0
32. Pondicherry	0	0	0
TOTAL	18710	15927	10060

NOTE: NR—Not received

NA—Not applicable (POA Act has not been extended to Jammu & Kashmir)

SOURCE: Data furnished by the State Governments/UT Administrations.

(c) Government has been taking various steps as provided in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 some of these measures are as under:

(i) Central assistance is released to the State Governments (50:50) and Union Territory Administrations (100%) to support measures undertaken by them for effective implementation of the Act which includes the provision of adequate facilities including legal aid, the appointment of officers for initiating or supervising prosecutions, setting up of Special Courts, conducting periodic surveys, identification of atrocity prone areas and providing relief and rehabilitation to the victims/ dependents of atrocities.

(ii) During the VIIIth Five Year Plan, as against the provision of Rs. 27.70 crores, a sum of Rs. 50.17 crores, Rs. 16.47 crores and during 1997-98 against the provision of Rs. 15.50 crores, Rs. 16.47 crores and during 1998-99 out of budget provision of Rs. 15.50 crores Rs. 14.28 crores (as on 30.11.98) were released to the States and Union Territories for the effective implementation of Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(iii) The position is reviewed from time to time with the State Governments and Union Territory Administrations.

(iv) Ministry of Home Affairs in their letter dated 12.11.98 adressed to Chief Secretaries of States/UTs has requested them to accord higher priority in the framing, implementation and monitoring of the policies/schemes and to consider an appropriate machanism for this purpose.

प्रो॰ विजय कुमार मल्होत्रा: सभापति महोदय, मंत्री जी ने जो आंकड़े दिए हैं उनके मुताबिक 1997 में 27,868 अत्याचार के केसेज हुए जिनमें से केवल 10,000 में चालान किया गया। लगभग एक तिहाई में चालान हुआ और चालान के बाद उनमें से कितनों को सजा हुई इसका कोई उल्लेख नहीं है। लगता यह है कि सजा तो बिल्कुल 0.01 परसेंट केसेज में भी नहीं होती। क्या मंत्री महोदया यह बताएंगी कि विभिन्न प्रदेशों में जिन्होंने इसमें कार्यवाही करनी है, अगर वे ठीक कार्यवाही नहीं करते हैं तो उनके बारे में केन्द्र क्या कार्यवाही करता है?

SHRIMATI MANEKA GANDHI: Sir, this question has actually been misdirected. Firstly, it is a State subject. Secondly, it is the Home Ministry, which is responsible for giving *saja* or for registering cases. The Welfare Ministry is responsible for making the mechanism better, for giving money to make special courts, for giving money to police. Our role is mainly in rehabilitation and in

†The Question was actually asked on the floor of the House by Prof. Vijay Kumar Malhotra.

strengthening legal assistance by setting up special courts. For instance in Rajasthan, which is one of the six States which have got special courts, the mechanism is very much better. This year we have to give Rs. 15.5 crores, whereas Rs. 14.28 crores we have already given so far. But, as far as क्यों सजा नहीं हुई है is connerned, this is for the States and the Home Ministry to look into it. It is between them. We do not come into picture at all.

प्रो॰ विजय कुमार मल्होत्रा: महोदय, यह जो एक्ट है शिड्यूल्ड कास्ट्स एण्ड शिड्यूल्ट ट्राइब एक्ट, 1989 और शिड्यूल्ड कास्ट्स एण्ड शिड्यूल्ड ट्राइब प्रीवेंशन आफ एट्रोसिटीज रूल्स 1995, इनको बने हुए करीबन 9 साल और 4 साल होने को जा रहे हैं। इस बीच में अभी तक शायद 6 स्टेट्स ने स्पेशल कोर्ट्स अभी तक बनाए हैं। जो स्टेट्स स्पेशल कोर्ट्स नहीं बना रही है इन मामलों में उन स्टेट्स के बारे में केन्द्र की ओर से क्या कदम उठा रहे है यह मैं मंत्री महोदया से जानना चाहता हूं। उन पर कैसे दबाव डाला जाएगा कि वे स्पेशल कोर्ट्स बनाएं ताकि स्पेशल कोर्ट्स बनाने के बाद इनके बारे में पूरी कार्यवाही हो सके और उनको सजा मिल सके जो ऐसे अत्याचार करते है इस में चाहे गृह मंत्रालय ने करना हो परंतु सरकार इसके बारे में क्या कोई नीति बनाने जा रही है या प्रधान मंत्री जी सभी स्टेट्स के चीफ मिनिस्टर्स को बुलाकर क्या इसके बारे में तय करेंगे कि सभी स्टेट्स कोर्ट्स बनाएं और उनको ठीक सजा मिल सके तथा इसके लिए पूरी कार्यवाही हो सके?

SHRIMATI MANEKA GANDHI: Sir, all the States, except the six States, that is, Andhra Pradesh, Gujarat, Karnataka, Madhya Pradesh, Rajasthan and Tamil Nadu, which have already got special courts, have also got special courts. The only difference is that they have designated the existing session courts as special courts. So, it is not as if we have not done it. We have written letters also to all the State Governments, and the Home Minister has also written letters to the State Governments, where they have not designated session courts as special courts, asking them to make special courts so that higher priority could be accorded.

SHRI O. RAJAGOPAL: Sir, while going through the figures, provided by the hon. Minister, I find that during the years 1995, 1996 and 1997 the total number of atrocities registered has gone down, by and large. From 32,000, the figure has gone down to 31,000. But, I find some exceptions also. For example, in Madhya Pradesh, the figure during the same period has gone up. In 1995 the number of cases was 3,900, in 1996 the number of cases was 4,000, and in 1997 the number of cases was 4,269. In Kerala also the number of cases has increased. Therefore, I would like to know from the hon. Minister whether she would like to order an inquiry to find out why it is that the national level figures have come down, while in the above two States the figures have gone up. Are there any special reasons for it? If yes, what steps can be taken to contain this?

SHRIMATI MANEKA GANDHI: This is an excellent suggestion. We will follow it up. But, I would like to answer the previous Member's question. He asked about the disposal rate. I would like to say that the disposal rate of all the registered cases in special courts is 27.5 per cent as against the national average of disposal cases which is 8.3 per cent. So, the special courts are actually doing quite well.

श्री बालकवि बैरागी: माननीय सभापति जी, मैं आपके माध्यम से मंत्री महोदया से जानना चाहता हूं कि इन कानूनों के रहते हुए कुछ प्रदेशों में समय-समय पर इस तरह की बातें उठती हैं, आंदोलन होते हैं और कई राजनीतिक पार्टियों के घोषणा-पत्रों में भी चुनाव के वक्त ये बातें शामिल की जाती हैं कि इन कानूनों को वह राज्य समाप्त कर देंगे, तो ऐसा किसी राज्य से इनके पास इन कानूनों को समाप्त करने के बारे में कोई प्रतिवेदन आया है या आपने कहीं जांच-पड़ताल करवाई है? देश के कई

SHRIMATI MANEKA GANDHI: Sir, I do not understand the specificity of the question. What are you saying? What are these agitations against? Should the Act be made better?

SHRI BALKAVI BAIRAGI: The Act should be repealed.

SHRIMATI MANEKA GANDHI: There is no question of repealing the Act. It is a good Act. If there is any suggestion for strengthening the Act, we would be happy to entertain it. I do not think that it should be repealed.

SHRIMATI JAYAPRADA NAHATA: We have just celebrated 50 years of independence, but the Dalits have little to celebrate. India is the land of Mahatma Gandhi and Lord Buddha, the apostles of non-violence. Our secular democracy makes no distinction between caste and creed. But, we find that atrocities on SC/STs are being committed unabated in almost all the States. And the Government is hardly serious to check this menace. This is evident from the fact that the SC/ST Committee on Parliament had recommended in 1994 transfer of the subject of atrocities on SC/STs to the Ministry of Home Affairs. The atrocities are booked by a police under the Indian Penal Code. So, first the Home Ministry controlling the police comes to know about the atrocities and later on the Ministry of Welfare gets the information. I would like to know, why even after a lapse of four years, the Government could not implement the recommendations. Sir, we see so many instances when SC/ST people are not allowed to enter the forward caste temples. I would like to know about the precautions that the Government is going to take to protect their human rights.

SHRIMATI MANEKA GANDHI: Sir, it is a Home Ministry matter and it is dealt with by the Home Ministry. As I said before, the only time we come into it is at the time of giving money to strengthen the mechanism; to immediately give money for rehabilitation which ranges from food, medicines to housing, and if there is anything to ameliorate the situation. It is already a Home Ministry matter. In fact, the Home Minister has taken a lot of interest in it. He has written several letters to the Chief Ministers asking them to accord highest priority to the monitoring of the schemes and policies, and to make better mechanisms. Regarding atrocities on....*(Interruptions)*. Regarding entry into temples, I cannot give you an answer because it generally comes under the Act. If anybody violates the Act, action is taken. When you talk about atrocities committed on the SC/STs, actually as the Member said in the beginning, they are decreasing in number.I am repeating myself now, action taken under this Act is much, much faster than the time normally taken in courts. So, the two things have proved to be quite effective.

श्री गोविन्दराम मिरी: सभापति महोदय, जवाब के साथ जो आंकड़े दिए गए हैं, वह खेदजनक है क्योंकि अनुसूचित जाति, जनजाति के लोगों पर अत्याचार दिनों-दिन बढ़ता जा रहा है। इस में चालान की जो संख्या दी गयी है, वह बहुत कम है। महोदय, ऐसे मामले में थानों में केस दर्ज नहीं किए जाते हैं और लोगों को निरुत्साहित किया जाता है। अगर ले-देकर चालान किया जाता है तो उन को प्रॉपरली प्रोसेक्यूट नहीं किया जाता है जिस कारण अपराधी बच निकलते हैं और इसीलिए अपराधों में वृद्धि होती है। महोदय, मैं मंत्री जी से जानना चाहता हूं कि उन अत्याचारों को रोकने के लिए जो सुझाव दिए गए हैं, जो कार्यवाही सरकार द्वारा की जा रही है या उपाय किए जा रहे हैं, उस में इस बात का उल्लेख है कि यह अत्याचार न हों, इसलिए कारणों को ढूंढकर उन का निवारण किया जाए। महोदय, क्योंकि यह जवाब एक "आई वाश" है अर्थात् एक साधारण जवाब है, क्या मंत्री महोदया बताएंगी कि जो एजेंसियां इस एक्ट को लागू करने के लिए जिम्मेवार थीं, उन्होंने जिम्मेदारी ईमानदारी से नहीं निभाई, अपने कर्त्तव्यों के पालन में चूक गयीं, उन के खिलाफ ठोस कार्यवाही करने के लिए वह राज्य सरकारों को सुझाव देंगी? दूसरे मेरा यह पूछना है क्योंकि पहले यह कहा गया था कि जिस जिले में इस तरह के अत्याचार होंगे वहां के डिस्ट्रिक्ट मजिस्ट्रेट और एस०पी० को जिम्मेदार ठहराकर उन को दंडित किया जाएगा क्या उन के सामने आज तक ऐसा कोई उदाहरण

राज्यों में इस तरह के आंदोलन शुरू हुए हैं कि ये कानून खत्म कर दिए जाएं। इस दिशा में केन्द्रीय सरकार का स्पष्ट अभिमत क्या है और केन्द्रीय सरकार इस बारे में क्या यह आश्वस्त करेगी कि ये कानून जीवित रहेंगे और ये कभी भी खत्म नहीं किए जायेंगे?

आया है जिस में किसी अधिकारी को इस एक्ट के तहत दंडित किया गया है और नहीं तो आगे उन्हें दंडित करने के लिए कोई ठोस कार्यवाही करने जा रही हैं?

SHRIMATI MENEKA GANDHI: Sir, why should we always take it for granted that if something is doing well, it is the result of fake or manipulated statistics? Perhaps it could be one of the Acts, which we do have in India which is actually working. Why should it be assumed that F.I.Rs. are no longer being registered and, therefore, it is shown that crimes are coming down? Perhaps it could be that the crimes against Scheduled Castes and Scheduled Tribes are coming down. After all six States have got special Courts. We are in the process of setting up special courts in the other States also.

Regarding fixing of the responsibility on D.Ms., again this falls within the jurisdiction of the State Governments.

The hon. Member wants to know what we have done, if cases are not registered in Police Stations. In the first instance, these do not come to us at all. But, if he can give specific instances where somebody has gone to a Police Station with a complaint and it is not registered, then I would be happy to take it up and reply to the House.

प्रो॰ रामगोपाल यादव: श्रीमन्, जो जवाब दिया गया है, उस को देखने से ऐसा लगता है कि उत्तर प्रदेश के मामले में जो अत्याचार हैं, वह आंकड़ों के हिसाब से बहुत कम है। वास्तव में अगर ऐसा होता तो प्रशंसनीय होता, लेकिन हमें ऐसा नहीं लगता कि ऐसा हुआ है। इसलिए इन आंकड़ों की सच्चाई तभी मालूम हो सकती है जब माननीय मंत्री जी कृपा कर के यह बताएं कि वर्ष 1995-96 और 97 में उत्तर प्रदेश में अनुसूचित जाति के कितने लोग इन अत्याचारों के तहत मारे गए, कितने लोगों की हत्या हुई और इन को रिहैबिलिटेट करने के लिए इयरवाइज आप के विभाग ने कितना धन दिया?

SHRIMATI MANEKA GANDHI: Atrocities in Uttar Pradesh have come down because the District Magistrates have been told to take up this specific responsibility. There is a letter sent to them after my taking over the Ministry, which fixes responsibility on each one of them to give them immediate relief.

Regarding the hon. Member's point about how many people have been killed, I am afraid this information is not with me. It will be with the Home Ministry.

PROF. RAM GOPAL YADAV: If the number of artocities are there with you, the number of people killed must also be there with you.

SHRIMATI MANEKA GANDHI: I am afraid it is not with me. But, I would be happy to investigate and give you a reply on this.

श्री रामजीलाल: सभापति महोदय, मैं आपके द्वारा माननीय मंत्री महोदय से कहना चाहता हूं कि आपने तीन साल के आंकड़े अनुसूचित जाति, जनजाति के अलग-अलग दिए हैं, जो अत्याचार हुए हैं उनके, लेकिन आपने जो चालान बतलाए हैं वे इक्ट्ठे बतलाए हैं। मैं आपके माध्यम से माननीय मंत्री महोदया से जानना चाहता हूं कि जनजाति के कितने अत्याचारों के लिए चालान हुए, आपने दोनों इक्ट्ठे दिए हैं?

अपने प्रश्न के दूसरे भाग के रूप में मैं हरियाणा के बारे में कुछ जानना चाहता हूं। हरियाणा में 243 केसिस हुए, जिनमें से सिर्फ 45 चालान हुए। इसका मतलब यह है, सभापति महोदय, कि 90 दिन जब हो जाते हैं, सीरियस केस होते हैं, वह दीरा-दानिश्ता 90 दिन करते हैं और 90 दिन के बाद आटोमेटिकली उसकी जमानत हो जाती है। तो यह दीरा-दानिश्ता किया जाता है, इसके कारण चालान नहीं होते, यह मैं माननीय मंत्री महोदया से पूछना चाहता हूं?

SHRIMATI MENEKA GANDHI: Actually the statistics in the case of Haryana are different from what you are saying. There were only 82 cases in 1995. There are only 61 cases in ..*(Interruptions)*..... I do not know from where you got this figure of 245 people.

श्री रामजीलाल: जो आपने आंकड़े दिए हैं इक्ट्ठे दिए हैं, अलग चाहिएं।

SHRIMATI MENEKA GANDHI: They have been given separately. In fact, in Haryana, 8 murders, 18 rapes and 12 kidnapping took place. Is that the answer what you want?

श्री रामजीलाल: मैंने जनजाति के बारे में कहा है।

SHRIMATI MENEKA GANDHI: About 8 dacoities 8 robberies and 1 incident of arson took place ...*(Interruptions)*... I am speaking about Scheduled Castes only. I am giving the break-up of the crimes under the various heads. I hope this is exactly what you wanted. The figures in respect of Scheduled Castes and Scheduled Tribes are given together. In Haryana only five crimes have been listed against Scheduled Tribes during 1997. I will just give you the details. It is actually not even in percentage. According to the figures given to us by the Home Minisry, it is nil for 1995 and 1996. Is that all right?

SHRI SANATAN BISI: Mr. Chairman, Sir, I thank you for allowing me to put my supplementary. May I know from the hon. Minister the number of atrocity cases against women?

MR. CHAIRMAN: Do you want in respect of Scheduled Castes and Scheduled Tribes women?

SHRI SANATAN BISI: Yes, Sir.

MR. CHAIRMAN: He wants to know the number of atrocities committed against Scheduled castes and Scheduled Tribes women.

SHRIMATI MANEKA GANDHI: Obviously this includes both men and women. Do you want the break-up in terms of men, women, teenagers and children? In what way could you like to have break-up?

SHRI SANATAN BISI: Mr. Chairman, Sir, atrocities against women of the Scheduled Castes and Scheduled Tribes is the talk of the day.

Mr. Chairman, Sir, another thing I want to ask is हम लोग जब शैडयूल्ड कास्ट शैडयल्ड ट्राइब्स कमेटी के साथ टूर में जाते हैं तो the financial assistance given in the ratio of 50:50 both by the Central Government and the State Government is not being properly monitored. May I know from the hon. Minister what steps her Ministry would take to monitor this financial assistance?

SHRIMATI MANEKA GANDHI: Mr. Chairman, Sir, my Ministry is very, very carefully monitoring it. We call them regularly. We want to know what action has been taken. The fact that it is being monitored regularly has led to the disposal of 27 per cent of the cases. So, we are carefully monitoring, perhaps, more so than any other kind of crime ir India.

SHRI GOVINDRAO ADIK: Mr. Chairman, Sir, I thank you for giving me this opportunity to put my supplementary. While replying to the question of the hon. Member, Shri Bairagi, the hon. Minister has very categorically stated in the House that there is no question of repealing the Scheduled Castes and Scheduled Tribes (Prevention of Artocities) Act, 1989. I must congratulate the hon. Minister for the stand the Government has taken in this behalf. We also share, all of us here share, the view taken by the Government. But at the same time, let us not forget the realisties that are happening around us. While implementing this Act, it has been noticed and it has been personally found by us that the provisions of this Act have been misused by the implementing authorities. So, far, there have been a number of cases which have been noticed. Particularly, in the State of Maharashtra, in 1980, in the Marathwada region, on the issue of renaming the Marathwada University after the late Dr. Babasaheb Ambedkar, riots took place and thousands of cases were filed with regard to those riots and thousands of people were involved in cases under this Act which cases, subsequently, the Government of Maharashtra had to withdraw. It is learnt that they have been withdrawn now. So, it is very clear that

the provisions of this Act are always misused by some people. It is also noticed that in some areas, some people have made a business out of it. I want to know whether the Government is aware of it. We should, certainly, think of the Scheduled Caste and Scheduled Tribe people who belong to depressed classes. We have to protect them, protect their interests. There is no doubt about it. But, at the same time, it is our bounden duty to see that innocent people are not unncessarily harassed.

MR. CHAIRMAN: That is all right.

SHRI GOVINDRAO ADIK: Under the Act, what are the measures the Government is thinking of adopting in this behalf? That is part (a) of my question.

Secondly, simply legislating will not do. The purpose of the legislation is prevention of atrocities. According to me, legislation is not the only solution. We have to go deep into the matter and find out the reasons why atrocities are inflicted on these deprived classes of people. So, we will have to know.....

MR. CHAIRMAN: You want to know whether there is misuse of the Act.

SHRI GOVINDRAO ADIK: I want to know from the Government what measures they are going to adopt.

SMT. MANEKA GANDHI: Sir, first of all, Maharashtra has reported no misuse of the act. But I agree with the hon. Member that like every Act, perhaps, in the world, this is prone to people finding loopholes in it and misusing it. There are, certainly, misuses of the act—people trying to grab land of a person, for instance, by claiming that that person was the culprit in an atrocity and having him falsely arrested. There has been a great number of reportings of these cases. But Maharashtra specifically reported no misuse. It is for the State to report to us.

Regarding the strengthening of the act, to do away with the loopholes which, perhaps, cases this misuse, Parliament applied its mind and passed this Act and if Members of Parliament would like to offer any suggestions by which we can make this Act better, we will be happy to look at them. If there is any false case registered, there is a law, the Indian Penal Code, which allows you to put another case against the person who registered the false case.

चौधरी चुन्नीलाल: माननीय सभापति महोदय, यह जो फिगर दी गई है गुजरात में 1995 में 724 केसेज हुए, 1996 में 1764 केसेज हुए और 1997 में 1831 केसेज हुए लेकिन चालान हुआ है 2057, 1980 और 1955 केसेज में। तो यह स्पष्ट नहीं हुआ कि केसेज हुए कम और चालान हो गए ज्यादा एक तो यह स्पष्ट कर दें माननीय मंत्री महोदय।

मेरा दूसरा प्रश्न यह है कि 14,250 केसेज हुए यू०पी० में और 6,702 केसेज में चालान हुआ, तो मैं यह जानना चाहता हूं कि इनमें सजा कितने में हुई और कितने केसेज छूट गए?

श्री मोहम्मद सलीम: हां, यू०पी० में तो सजा होती ही नहीं.....(**व्यवधान**)

लाजवाब सवाल है।

+[श्री मोहम्मद सलीम: हाँ यू-पी में तो सज़ा होती ही नहीं..."मदाख़लत"....
लाजवाब सवाल है।]

SMT. MANEKA GANDHI: Sir, regarding the cases in U.P., many were convicted. If we go by the average, again, we come back to this answer. If we go by the average, 27 per cent are convicted. I cannot give you a more specific answer on that because I do not have it from the State. This is specifically a State subject. It just comes to me to report.

चौधरी चुन्नीलाल: यह स्टेट सब्जेक्ट नहीं है सर.....(**व्यवधान**)

SMT. MANEKA GANDHI: It is a State subject to the extent that the cases dealt with in the special courts are just reported to us.

+[ ] Transliteration in Arabaic Script.

SHRI JANARDHANA POOJARY: Sir, the quesiton is very clear. *(Interruptions)*. The hon. Member has just now put the question. Sir, 18,710 cases were there in 1995 and 15,927 cases were there in 1996.

12.00 Noon

In 1997, the number of cases registered was 10,060. I would like to know as to in how many cases the conviction has been done. What type of monitoring is done by you?

MR. CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Ceiling on Dwelling Units

*101. SHRI V. KISHORE CHANDRA S. DEO; Will the Minister of URBAN AFFAIRS & EMPLOYMENT be pleased to state: whether his Ministry is proposing to introduce a ceiling on the number of dwelling units or on the maximum extent of built up area a person can own in our uncleaned conglomeration?

THE MINISTER OF URBAN AFFAIRS AND EMPLOYMENT (SHRI RAM JETHMALANI): No such proposal is under consideration of the Ministry.

Blacklisting of Indian Companies

*102. SHRI P. PRABHAKAR REDDY:
SHRI GHUFRAN AZAM:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that U. S. Administration has recently blacklisted 40 Indian Companies and their 200 subsidiaries barring them from doing business with American Companies;

(b) if so, the details thereof and the reasons therefor;

(c) whether Government intend taking any reciprocal action against the US move?

(d) if not, the reasons therefor; and

(e) what other action is contemplated to safeguard Indian interests in this regard?

THE MINISTER OF COMMERCE (SHRI RAMAKRISHNA HEGDE): (a) and (b) USA announced certain restrictive economic measures under its Nuclear Proliferation Prevention Act of 1994 against India first on 13th May 1998 in the wake of the nuclear explosions by India. On 29th May 1998 the Bureau of Export Administration (BXA) under US Department of Commerce announced certain interim guidelines imposing restrictions on US exports of dual use goods and technology which were earlier subject to export licencing, followed by a notification of specific measures on 18th June 1998. On 19th November 1998, the US notified in the Federal Regitser 40 Indian entities along with 200 subordinate entities, which will be covered by export restrictions. The list specifies the entities believed by USA to have been involved in the nuclear and missile related programmes and includes organisations in the field of atomic energy, space, defence, establishments involved in conventional military activities and a number of Indian public and private sector companies. US exporters would require licences to export to the listed entities and most licences would be denied, except for items intended to ensure the safety of civil aviation and safe operation of commercial passenger aircraft.

(c) to (e) The Government has been closely monitoring the measures announced against India and continuously assessing their likely impact. Though any precise quantification of the impact of the measures may be difficult, so far the impact has been minimal. The fundamentals of the Indian economy are strong enough to withstand any pressure arising from the sanctions